THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

AND

THE DIVISION FOR PALESTINIAN RIGHTS

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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Mandate and objectives

The question of Palestine was first brought before the General Assembly in 1947, when the Assembly decided to partition Palestine into two States, one Arab and one Jewish, with a special international regime for Jerusalem (resolution 181 (II) of 29 November 1947). In later years, as the Arab State did not come into being and several wars were fought in the area, the Palestine problem was discussed as part of the larger Middle East conflict or in the context of its refugee or human rights aspects. It was only in 1974 that the question of Palestine was reintroduced in the Assembly's agenda as a national question and the inalienable rights of the Palestinian people were reaffirmed and specified. In resolution 3236 (XXIX) of 22 November 1974, the Assembly stated that those rights included: the right to self-determination without external interference; the right to national independence and sovereignty; and the right of Palestinians to return to their homes and property, from which they had been displaced and uprooted. The Assembly also stated that the realization of those rights was indispensable for the solution of the question of Palestine.

The following year, expressing grave concern that progress had not been achieved towards the exercise by the Palestinian people of its inalienable rights, the Assembly decided to establish the Committee on the Exercise of the Inalienable Rights of the Palestinian People. By its resolution 3376 (XXX) of 10 November 1975, the Assembly mandated the Committee, which is the body within the United Nations exclusively devoted to the question of Palestine, to consider and recommend to the Assembly a programme of implementation, designed to enable the Palestinian people to exercise its rights. The Committee was requested to submit its report and recommendations to the Secretary-General, no later than 1 June 1976, for transmission to the Security Council.

In its first report submitted to the Security Council in June 1976, the Committee affirmed that the question of Palestine was "at the heart of the Middle East problem" and that no solution could be envisaged without fully taking into account the legitimate aspirations of the Palestinian people. The Committee urged the Council to promote action for a just solution, taking into account all the powers conferred on it by the Charter of the United Nations. The recommendations of the Committee included a two-phase plan for the return of Palestinians to their homes and property; a timetable for the withdrawal of Israeli forces from the occupied territories by 1 June 1977, with the provision, if necessary, of temporary peacekeeping forces to facilitate the process; an end to the establishment of settlements; recognition by Israel of the applicability of the Fourth Geneva Convention to the occupied territories pending withdrawal; and endorsement of the inherent right of Palestinians to self-determination, national independence and sovereignty in Palestine. The Committee also expressed the view that the United Nations had the historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of the future Palestinian entity.

The Committee's recommendations were not adopted by the Security Council, due to the negative vote of a permanent member, and have not been implemented. They were, however, endorsed by an overwhelming majority in the General Assembly, to which the Committee reports annually. The Assembly reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement of a just solution of the problem of Palestine based on the attainment of the inalienable rights of the Palestinian people. The Assembly also requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the General Assembly or the Security Council as appropriate, and to promote the greatest possible dissemination of information on its recommendations through non-governmental organizations (NGOs) and other appropriate means.

In pursuance of this mandate, the Committee's programme of work has been gradually expanded. With the establishment in 1978 of a supporting unit in the United Nations Secretariat (later redesignated the Division for Palestinian Rights), the programme came to include the convening of international meetings and conferences, including meetings with civil society, in all regions of the world, with the participation of political personalities, representatives of Governments and intergovernmental organizations, United Nations officials, academics, the media and others. Ongoing cooperation with a wide network of NGOs and other civil society institutions active on the question of Palestine was established. In consultation with the Committee, the Division also began to monitor developments relevant to the question of Palestine and to prepare and publish periodic or occasional bulletins, studies and other documentation; developed and continues to maintain and upgrade its computer-based information system on the question of Palestine; and instituted an annual training programme for staff of the Palestinian Authority. In addition, the Department of Public Information of the United Nations Secretariat started a series of special activities in cooperation with the Committee. To commemorate the 1947 resolution of the United Nations General Assembly partitioning Palestine, 29 November was designated the International Day of Solidarity with the Palestinian People, in observance of which the Committee introduced annual special events at United Nations Headquarters in New York, with similar activities taking place at the United Nations offices at Geneva and Vienna, under Committee sponsorship.

During 1982-1983, the Committee served as the preparatory body for the International Conference on the Question of Palestine, which was held at Geneva from 29 August to 7 September 1983. The Conference adopted a Declaration and Programme of Action for the Achievement of Palestinian Rights, which included guidelines for a solution of the Palestine question through the convening of an international peace conference on the Middle East under the auspices of the United Nations. The proposal and guidelines for such a conference were endorsed by the General Assembly and were then revised in 1988, following the Palestinian "Declaration of Independence" and the statement made before the General Assembly meeting in Geneva by Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization (PLO).

Accordingly, during the 1980s, the Committee attached high priority in its work programme to promoting the convening of the proposed international peace conference. The Committee also continued to monitor the situation in the Occupied Palestinian Territory, including East Jerusalem, and to call for international measures to ensure protection and respect for human rights and

humanitarian law by the Israeli authorities, particularly after the outbreak of the Palestinian uprising, the first intifada, in December 1987.

In 1991, the General Assembly welcomed the convening at Madrid, on 30 October, of a peace conference under the co-sponsorship of the United States of America and the Union of Soviet Socialist Republics, with the goal of attaining a settlement based on Security Council resolutions 242 (1967) and 338 (1973). The General Assembly considered, however, that the convening of a conference under United Nations auspices, as previously proposed, would contribute to the promotion of peace in the region. The Committee also voiced support for the Madrid conference and was of the view that an active role by the United Nations, the Security Council and the Secretary-General was essential for a successful outcome of the peace process. The Committee reaffirmed the international consensus that the attainment of the inalienable rights of the Palestinian people was indispensable for the achievement of peace and expressed hope that the Israeli Government would recognize and respect those rights and institute radical changes in its policies in favour of peace.

Following the mutual recognition between the Government of Israel and the PLO, and the signing, in September 1993, of the Declaration of Principles on Interim Self-Government Arrangements, the Committee welcomed this evolution in the peace process as an important step towards the attainment of a comprehensive, just and lasting peace in accordance with Security Council resolutions 242 (1967) and 338 (1973) and other relevant United Nations resolutions. The Committee called for intensified support and assistance by the international community to the Palestinian people under its recognized leadership, the PLO, in order to ensure the successful implementation of the agreement reached. In particular, the Committee stressed the need for the full engagement of the United Nations in the peace process and in building the Palestinian Authority, as well as providing broad assistance to the Palestinian people in all needed fields. On its part, the General Assembly also welcomed the Declaration of Principles and reaffirmed that "the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy".

In subsequent years, the Committee welcomed the signing of various bilateral agreements in implementation of the Declaration of Principles, particularly the Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip of September 1995 and other positive developments, such as the partial withdrawal of Israeli forces and the Palestinian elections to the Legislative Council and the Presidency of the Palestinian Authority. It also expressed its belief that, during the interim period, Israel must recognize and respect its obligations as the occupying Power under the Fourth Geneva Convention.

By the late 1990s, the Committee had started to voice increasing concern at the stalemate in the peace negotiations and the growing tension and violence in the region. It participated in meetings of the Security Council and of the General Assembly, including the Assembly's tenth emergency special session, convened to deal with the deteriorating situation in the Occupied Palestinian Territory, including East Jerusalem. While condemning all acts of violence against civilians, the Committee expressed its alarm at the position and actions of the Government of Israel with regard to Jerusalem, the construction of settlements, land confiscation and punitive collective measures, which

had a devastating effect on the Palestinian people and their living conditions and seriously undermined the peace efforts.

These concerns were further heightened following the outbreak of the second, or Al-Aqsa, intifada in late September 2000. The subsequent fierce escalation of violence between Israel and the Palestinians has left thousands of people dead, wounded and permanently disabled, mostly among Palestinians, including a large number of casualties among children. The Committee continued to express its grave concern over the illegal acts of the occupying Power, such as the disproportionate use of force against Palestinians, attacks on the institutional and physical infrastructure of the Palestinian Authority, the siege imposed on its President, the reoccupation of population centres, the stifling internal and external closures, curfews and blockades, the extrajudicial killings and the arbitrary detentions, the demolition of houses, the destruction of agricultural land, and settlement construction.

In 2002, Israel began building a separation barrier, the "wall", in the occupied West Bank. The de facto annexation of Palestinian land resulted in serious economic and social consequences for over 800,000 Palestinians. The Committee stressed time and again and reminded the Government of Israel of the need to fulfil its obligations under the Fourth Geneva Convention. In the Committee's view, the continuation of violence and the increasing suffering of the Palestinian people might destabilize the entire region.

Pursuant to the request of the General Assembly's tenth emergency special session, the International Court of Justice issued on 9 July 2004 a historic advisory opinion on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem. The Court determined that the construction of the wall and its associated regime were contrary to international law, and that Israel was under obligation to cease the construction, dismantle portions built on Palestinian land and provide reparations to Palestinians whose lives had been harmed by the wall.

The Committee has consistently supported all international efforts directed at stopping the violence and resuming the peace negotiations, with a view to ending the occupation and resolving the question of Palestine in all its aspects. The Committee welcomed the understandings reached by the parties at Sharm el-Sheikh and Taba, Egypt, in October 2000 and January 2001, respectively, and expressed appreciation for the involvement of the United Nations Secretary-General in these efforts. In 2002, the Committee welcomed the affirmation of the vision of "a region where two States, Israel and Palestine, live side by side within secure and recognized borders" contained in Security Council resolution 1397 (2002) of 12 March 2002. The Committee urged the swift realization of this objective, through a concrete, step-by-step mechanism covering the political, economic and security fields and within a specified time frame. In this respect, the Committee was also encouraged by the peace initiative adopted by the Arab States at their Summit in Beirut on 28 March 2002 and asked Israel to reciprocate in good faith.

The Committee supported the continuing efforts of the diplomatic Quartet, consisting of the United States of America, the Russian Federation, the European Union and the United Nations,

particularly in initiating a performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict, which was endorsed by the Security Council in its resolution 1515 (2003) of 19 November 2003. The Committee urged the Quartet and the international community to help the parties implement their obligations under the plan, relating notably to questions of security and the freezing of settlement activity. In the view of the Committee, the road map offered a way to achieve a comprehensive, just and lasting settlement of the question of Palestine, in accordance with Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), and the principle of a permanent two-State solution based on the 1967 borders, the realization of the inalienable rights of the Palestinian people, and the right of all States in the region to live in peace and security.

Membership and officers

At present, the Committee has 23 members:[1]

Afghanistan, Belarus, Cuba, Cyprus, Guinea, Guyana, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Namibia, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, South Africa, Tunisia, Turkey and Ukraine.

Twenty-one countries are observers in the Committee. The African Union, League of Arab States and Organization of the Islamic Conference participate in the Committee's meetings as observers. On the basis of General Assembly resolutions 3210 (XXIX) and 3237 (XXIX) of 1974, and a decision taken by the Committee in 1976, the PLO, as the representative of the Palestinian people and the principal party to the question of Palestine, was invited to participate in the Committee's deliberations as an observer.[2]

The following officers of the Committee, comprising its Bureau, were elected on 12 March 2004: Paul Badji, Permanent Representative of Senegal to the United Nations, as Chairman; Ravan A.G. Farhâdi, Permanent Representative of Afghanistan to the United Nations; and Orlando Requeijo Gual, Permanent Representative of Cuba to the United Nations, as Vice-Chairmen, and Victor Camilleri, Permanent Representative of Malta to the United Nations, as Rapporteur.

[1] At the time of its establishment in 1975, the Committee had 20 members.

[2] On 15 December 1988, the General Assembly adopted resolution 43/177, in which it decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the PLO within the United Nations system, in conformity with relevant United Nations resolutions and practice.

Division for Palestinian Rights

Following the affirmation of the inalienable national rights of the Palestinian people and the establishment in 1975 of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the General Assembly recognized the need for creating an informed public opinion around the world in support of the achievement of those rights. Accordingly, the Assembly mandated the establishment of a Special Unit on Palestinian Rights in the United Nations Secretariat to assist the Committee in its work and to prepare studies and publications on the issue and to promote maximum publicity for them (resolution 32/40 B of 2 December 1977). The Unit, later renamed the Division for Palestinian Rights, is part of the Department of Political Affairs of the United Nations Secretariat. Its mandate has been renewed annually and has been expanded several times over the years, in particular to include the organization of international meetings, the establishment of a computer-based information system called the United Nations Information System on the Question of Palestine (UNISPAL), now available on the Internet, and the holding of an annual training programme for staff of the Palestinian Authority.

International meetings and conferences

The Division for Palestinian Rights is mandated by the General Assembly to organize international meetings and conferences in all regions, in consultation with the Committee and under its guidance. The Committee considers that the programme of meetings and conferences helps promote a constructive analysis and discussion of the various aspects of the question of Palestine and mobilize international support for and assistance to the Palestinian people.

In the programme of international meetings and conferences, priority is given to promoting the exercise of the inalienable rights of the Palestinian people, supporting the political process and encouraging international efforts, such as the road map of the Quartet, for a peaceful solution of the conflict. The Committee also holds annual regional meetings, with the venue rotating from Africa to Asia to Latin America and the Caribbean, which draw on the experience of the countries in those regions in their struggle for national independence and sustainable economic development. They are also geared towards mobilizing public opinion in the regions in support of the Palestinian people.

International conferences convened under the auspices of the Committee are designed to focus wide international attention on specific aspects of the question of Palestine, such as the inalienable rights of the Palestinian people, the Bethlehem 2000 project and Palestine refugees. Equally significant were the International Meeting on the Convening of the Conference on Measures to Enforce the Fourth Geneva Convention in the Occupied Palestinian Territory, including Jerusalem (1999) and the International Meeting on the Impact of the Construction of the Wall in the Occupied Palestinian Territory, including in and around East Jerusalem (2004).

Starting in 1993, the Committee has convened virtually every year, in either Europe or the Middle East, a seminar on assistance to the Palestinian people. These seminars deal with various aspects of the socio-economic development of the Palestinians living in the Occupied Palestinian

Territory, including East Jerusalem, such as the serious crisis of the Palestinian economy and the deterioration of the living conditions of the Palestinian people.

Additional information about the aforementioned events is available on the Internet at http://www.un.org/depts/dpa/ngo/calendar.htm. Reports summarizing their proceedings are available online, in UNISPAL, or can be obtained in hard copy from the Division for Palestinian Rights.

Cooperation with civil society

On the basis of the Committee's programme of cooperation with civil society, which started in connection with the preparations for the International Conference on the Question of Palestine held in 1983 in Geneva, the General Assembly mandated the Division to increase its contacts with NGOs and convene meetings for NGOs in different regions in order to heighten awareness of the facts relating to the question of Palestine, a mandate that is being renewed every year. Since 1983, the Committee has accredited more than 700 civil society organizations that have programmes in support of the inalienable rights of the Palestinian people. The Division liaises with over 1,000 organizations in all regions that have a special interest in the question of Palestine. A separate information note entitled "The United Nations and Non-Governmental Organization Activities on the Question of Palestine", providing more details on the accreditation process, criteria and guidelines, as well as other relevant information, is also available online and in hard copy from the Division for Palestinian Rights.

Civil society organizations are invited to all aforementioned international meetings and conferences organized under the auspices of the Committee. More recently, NGO meetings in solidarity with the Palestinian people have been organized in conjunction with international meetings. Also, regional meetings usually include a one-day civil society event. Three major events for civil society organizations were the United Nations International Conferences of Civil Society in Support of the Palestinian People held at United Nations Headquarters in New York in September 2002, 2003 and 2004. The Conferences focused their deliberations on ending the occupation. The Committee intends to continue to convene annually international gatherings of civil society.

As the Committee encourages cooperation, coordination and networking among civil society organizations, the Division maintains contacts with national, regional and international coordinating mechanisms and periodically holds consultations with various organizations on ways and means of enhancing cooperation with civil society. On occasion, representatives of the Committee or staff members of the Division participate in conferences and meetings organized by civil society organizations.

Research, monitoring, publications and the United Nations Information System on the Question of Palestine

The Division has been requested to monitor political and other relevant developments affecting the inalienable rights of the Palestinian people. The collection and dissemination of information by the Division are considered by the Committee as being of particular importance to its endeavours to make a constructive contribution to the peace process, in support of efforts at reaching a just and lasting settlement of the question of Palestine.

The programme of work of the Division includes the preparation of the following publications, on a regular basis:

- A monthly bulletin on international action on the question of Palestine, containing resolutions, decisions and communiqués of the relevant United Nations and other intergovernmental bodies and agencies

- A periodic bulletin entitled "Developments related to the Middle East Peace Process"

- A monthly chronological summary of relevant events based on press reports and other publicly available sources

- A special bulletin on the observance of the International Day of Solidarity with the Palestinian People

- An annual compilation of resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine

The Division has published a number of studies on legal, political and economic aspects of the question of Palestine. The latest such study, currently being prepared for publication, is entitled "The Origins and Evolution of the Palestine Problem, Part V (1989-2000)".

In response to a General Assembly mandate contained in resolution 46/74 B of 11 December 1991, the Division has developed UNISPAL, with a view to creating an electronic facility which would contain, in a full-text format, all significant United Nations documents relating to the Arab-Israeli conflict and the question of Palestine. These documents are available on the Internet at http://domino.un.org/unispal.nsf as part of the United Nations web site that also features a separate section on the question of Palestine at http://www.un.org/Depts/dpa/qpal.

Training programme for staff of the Palestinian Authority

As requested by the Committee and subsequently mandated by the General Assembly, the Division has conducted an annual training programme for staff of the Palestinian Authority since 1996. The programme is carried out at United Nations Headquarters in New York in cooperation with the Permanent Observer Mission of Palestine to the United Nations, from September to December each year, in conjunction with the convening of the General Assembly. It is designed to help staff of the Palestinian Authority, usually two per year, familiarize themselves with the various aspects of the work of the United Nations. The trainees are also expected to conduct research and prepare papers.

International Day of Solidarity with the Palestinian People

Pursuant to General Assembly resolution 32/40 B of 2 December 1977, the International Day of Solidarity with the Palestinian People is observed annually. The Day commemorates the General Assembly's adoption on 29 November 1947 of resolution 181 (II), which provided for the partition of Palestine into two States. The observance takes place at United Nations Headquarters in New York, at

the United Nations Offices at Geneva and Vienna and elsewhere. The event includes solemn meetings, at which statements are made by high-level officials of the United Nations and intergovernmental organizations, as well as by representatives of the international network of NGOs on the question of Palestine. It also usually includes, at Headquarters, the display of a Palestinian exhibit, film showings and other activities. At other locations, various activities are organized by governmental bodies and NGOs, in cooperation with the United Nations Information Centres around the world.